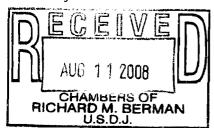
MEMO ENDORSED

GIRARD GIBBS LLP

Attorneys at Law



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August 8, 2

A conference will be held on 8/20/08 at 9:30 a.m. to set a joint briefling on schedule. All parties are invited to appear, but it is not nessary to have all parties if some cannot make this date.

Counsel should meet and confect in advance of the 8/20 conference. Conference on 9/8/08 is adjourned.

Bishord M. Borman, U.S.D.J.

Richard M. Borman, U.S.D.J.

VIA HAND DELIVERY

The Honorable Richard M. Berman United States District Judge Daniel Patrick Moynihan United States Courthouse 500 Pearl Street, Room 650 New York, New York 10007

Re: Ciplet v. J.P. Morgan Chase & Co., et al., Case No. 08-cv-4580 (RMB)

Dear Judge Berman:

We represent Thomas C. Assif, Kismet TMF Holdings, LLC and SKS Capital Partners, LLC, who are lead plaintiff movants in the above-reference action. Pursuant to the Court's instruction, we have contacted all counsel to determine whether all parties are available on August 20, 2008 for a pre-motion conference on the lead plaintiff motions. We are writing to advise the Court that certain counsel are not available for a pre-motion conference on that date. We understand that the pre-motion conference will go forward as originally scheduled on September 3, 2008 at 9:00 a.m.

Respectfully submitted,

GIRARD GIBBS LLP

nathan K. Levine

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC 4:
DATE FILED: 8/4/08

Cc: Jonathan K. Youngwood (counsel for defendants) (by fax)

Curtis V. Trinko (counsel for plaintiff Milton Ciplet) (by fax)

Mark Scollar (counsel for the Scharff plaintiffs) (by fax)

Jules Brody (counsel for movants Shenker and Nierenberg) (by fax)

Stephen A. Weiss (counsel for the Assif Group) (by fax)

Norman E. Siegel (counsel for the Assif Group) (by fax)